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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 OSSIE LEE SLAUGHTER,

8 Plaintiff,

Case No. C16-1067-RSM-JPD

9 v.

10 DAN WHITE, *et al.*,

11 Defendants.

ORDER GRANTING PLAINTIFF'S
SECOND MOTION FOR EXTENSION OF
TIME TO FILE MORE DEFINITE
STATEMENT

12
13 This is a civil rights action brought under 42 U.S.C. § 1983. This matter comes before
14 the Court at the present time on plaintiff's "Motion for Clarification of Courts [sic] Dual Order's
15 [sic] and Motion for Extension of Time to Respond Correctly," in which plaintiff requests
16 extensions of the deadlines to file his more definite statement and his objections to the
17 undersigned's Report and Recommendation recommending that plaintiff's motion for
18 preliminary injunctive relief be denied. Only the portion of plaintiff's motion pertaining to the
19 more definite statement is before this Court for consideration.

20 On August 17, 2017, the undersigned granted a motion by defendants for a more definite
21 statement detailing plaintiff's claims against the five defendants remaining in this action. (*See*
22 Dkt. 62.) Plaintiff was given 45 days, or until October 2, 2017, to file his statement. (*See id.*)

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1 Plaintiff objected to the Order directing him to file a more definite statement and, when his
2 objections were denied by the Honorable Ricardo S. Martinez, Chief United States District
3 Judge, on October 24, 2017, plaintiff was given a new deadline of November 14, 2017 to file his
4 more definite statement. (*See* Dkts. 65, 68.)

5 Plaintiff thereafter filed a motion for an extension of time to file his more definite
6 statement and to file objections to the undersigned's Report and Recommendation
7 recommending that plaintiff's motion for preliminary injunctive relief be denied. (Dkt. 70.) On
8 November 17, 2017, the undersigned issued an Order granting plaintiff additional time to file his
9 more definite statement, and set a new deadline of January 16, 2018. (Dkt. 73.) On November
10 28, 2017, Chief Judge Martinez issued an Order granting plaintiff additional time to file
11 objections to the pending Report and Recommendation, and set a new deadline of January 22,
12 2018. (Dkt. 74.) Plaintiff did not timely file a more definite statement or objections to the
13 Report and Recommendation. Instead, plaintiff filed the instant motion in which he claims that
14 the prior Orders granting him additional time require clarification, and that this need for
15 clarification, in addition to his need to obtain some of his legal property which has yet to catch
16 up with him after two recent transfers between Washington Department of Corrections facilities,
17 justify additional extensions.

18 On February 2, 2018, Chief Judge Martinez denied plaintiff's motion for an extension of
19 time to file his objections to the pending Report and Recommendation, concluding that plaintiff
20 had not set forth sufficient good cause for a second extension of time. (*See* Dkt. 77.) This Court
21 is skeptical as well about whether another extension is justified. Certainly, plaintiff's suggestion
22 that the Court's prior Orders created some sort of confusion which impeded his ability to timely

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1 comply with either deadline strains credulity. This Court also questions whether plaintiff
2 actually requires any additional legal materials to perform what should be the relatively simple
3 task of providing details regarding his claims against defendants Brittany West, Lance Rogers, S.
4 Ewing, Sheryl Allbert, and C/O Jones. However, in order to ensure that plaintiff has every
5 reasonable opportunity to comply with the directive that he provide a more definite statement,
6 the Court will grant one *final* extension and will also provide plaintiff with copies of documents
7 on file with the Court which should assist him in this endeavor.

8 Based on the foregoing, the Court hereby ORDERS as follows:

9 (1) Plaintiff's second motion for an extension of time to file a more definite statement
10 (Dkt. 76) is GRANTED. Plaintiff shall file his more definite statement not later than **March 28,**
11 **2018.** No further extensions will be granted. If plaintiff fails to comply with this deadline, the
12 Court will recommend dismissal of this action for failure to prosecute.

13 (2) The Clerk is directed to send a copy of this Order to plaintiff together with copies
14 of plaintiff's second amended complaint (Dkt. 39), the Report and Recommendation screening
15 plaintiff's second amended complaint (Dkt. 44), defendants' motion for a more definite
16 statement (Dkt. 59), and this Court's Order granting defendants' motion for a more definite
17 statement (Dkt. 62). The Clerk is further directed to send a copy of this Order to counsel for
18 defendants and to Chief Judge Martinez.

19 DATED this 28th day of February, 2018.

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21 
22 JAMES P. DONOHUE
Chief United States Magistrate Judge

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